

Date of Hearing: April 19, 2017

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

AB 1343 (Chen) – As Amended April 4, 2017

[Note: This bill is doubled referred to the Assembly Environmental Safety and Toxic Materials Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: Water conservation: school districts: Go Low Flow Water Conservation Partnerships

SUMMARY: Authorizes the governing board of a school district to enter into a Go Low Flow Water Conservation Partnership with a public water system. Specifically, **this bill:**

- 1) Authorizes the governing board of a school district to enter into a Go Low Flow Water Conservation Partnership with a public water system that provides water to the school district for purposes of reducing water use at schools, reducing stormwater and dry weather runoff at schools, reducing schoolsite water pollution, and establishing the basis for educational opportunities in water conservation.
- 2) Requires a partnership agreement to outline the terms of the partnership, include a survey of water use at the school, list opportunities for implementing water conservation measures, and establish protocols for sharing information from the public water system to school information platforms, including, but not limited to, Internet Web sites, classroom handouts, and events.
- 3) Authorizes a public water system to offer, as part of a partnership entered into pursuant to this bill, a rebate for a school that implements water-saving measures.

EXISTING LAW:

- 1) Requires the governing board of a school district to adopt a local control and accountability plan and specifies state priorities, including the priority for school facilities to be maintained in good repair. (Education Code (EC) Section 52060)
- 2) Defines "good repair" as a facility that is maintained in a manner that assures that it is clean, safe, and functional. (EC Section 17002)
- 3) Requires, under the Leroy F. Greene School Facilities Act of 1998, the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. (EC Section 17070.10)
- 4) Provides that a school district is eligible to receive an apportionment for the modernization of a permanent school building that is more than 25 years old or a portable classroom that is at least 20 years old. A school district is eligible to receive an additional apportionment for modernization of a permanent school building every 25 years after the date of the previous

apportionment or a portable classroom every 20 years after the previous apportionment. (EC Section 17073.15)

- 5) Requires school construction and modernization plans above specified thresholds to receive the approval of the Division of State Architect (DSA). (EC Section 17295)

FISCAL EFFECT: None. This bill is keyed non-fiscal by the Legislative Counsel.

COMMENTS: School districts have the responsibility to maintain school facilities in good repair and ensure that they are safe. Funding for facilities come from local bonds approved by voters, state bond funds, developer fees and other types of property taxes for specific purposes (e.g., Mello Roos). School construction plans are governed by the DSA and Title 24 of the California Code of Regulations (the California State Building Codes), which includes the green building standards. New construction of schools and certain modernization projects may trigger green code requirements.

This bill authorizes school districts and public water agencies to enter into a Go Low Flow Water Conservation Partnership for the purpose of devising strategies to reduce water use at schools, reduce stormwater and dry weather runoff, and reduce schoolsite water pollution.

According to the author's office, local water agencies may outreach to commercial entities but do not outreach to schools about rebates and programs to reduce water use, such as rebates to install low-flow toilets. Part of the purpose of this bill is to encourage school districts to seek information about such offers. However, it is unclear how this bill will encourage such partnerships. The bill does not offer incentives or require school districts or water agencies to seek or share information, respectively. School districts can currently partner with local water agencies without statutory authority. The Committee may wish to consider whether this bill is necessary.

Moreover, state funds have been available through various state bond programs that are consistent with the goals of this bill, such as the Drought Response Outreach Program for Schools (DROPS) administered by the State Water Resources Control Board. According to the Water Board's Internet Web site, "DROPS is focused on projects that reduce stormwater pollution and provide multiple benefits including water conservation, water supply augmentation, energy savings, increased awareness of water resource sustainability, and reduced dry weather runoff. All projects must include an education/outreach component that is designed to increase student and public understanding of the project's environmental benefits and the sustainability of California's water resources directly related to the project."

If the author wishes to develop a more substantive bill, the author may wish to consider amending the bill to require water agencies or companies with rebates to share the information with school districts.

If the author wishes to have a vehicle for educational or promotional purposes, the author may wish to do the following:

- Introduce a resolution promoting water conservation programs and encouraging school districts to seek funds.

- Introduce a resolution encouraging water agencies to outreach to schools regarding rebates they may have available.

Committee amendment: **Staff recommends** an amendment to uncodify the bill.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Sophia Kwong Kim / ED. / (916) 319-2087